

MESSAGE NO: 3346301 MESSAGE DATE: 12/12/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 78 FR 70533 FR CITE DATE: 11/26/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-904

EFFECTIVE DATE: 11/26/2013 COURT CASE #:

PERIOD OF REVIEW: 04/01/2011 TO 03/31/2012

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain activated carbon from China exported by the PRC-wide entity for the period 04/01/2011 through 03/31/2012 (A-570-904)

1. For all shipments of certain activated carbon from the People's Republic of China ("PRC") exported by the PRC-wide entity (A-570-904-000) entered, or withdrawn from warehouse, for consumption during the period 04/01/2011 through 03/31/2012, assess an antidumping liability equal to \$2.42 dollars per kilogram of subject merchandise.
2. In Commerce's final results, 78 FR 70533, 11/26/2013, Commerce determined that the following exporters are no longer eligible for a separate rate and are considered part of the PRC-wide entity:

Exporter: Datong Locomotive Coal & Chemicals Co., Ltd.

Exporter: Ningxia Lingzhou Foreign Trade Co., Ltd.

Exporter: Shanxi Qixian Foreign Trade Corporation

Therefore, CBP shall liquidate entries of certain activated carbon from the PRC which were exported by the firms listed above in this paragraph and entered, or withdrawn from warehouse, for consumption during the period 04/01/2011 through 03/31/2012 in accordance with the instructions in paragraph 1 above for the PRC-wide entity. Entries of such merchandise may have entered under the following case numbers:

A-570-904-036

A-570-904-097

A-570-904-103

3. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 1 and paragraph 2 occurred with the publication of the final results of administrative review (78 FR 70533, 11/26/2013). Unless instructed otherwise, for all other shipments of certain activated carbon from the PRC, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

4. There are no injunctions applicable to the entries covered by this instruction.
5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV: EC.)
8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party